

# **Composite Exhibit D**

The Proposed Class Representatives have selected Boies Schiller Flexner LLP and The Moskowitz Law Firm PLLC<sup>1</sup> to serve as Co-Lead Counsel for the proposed class, both of whom have fervently litigated this matter for well over a year, demonstrating both the will and the ability to commit the necessary resources to assure a strong and well-supported case on behalf of members of the proposed class. Both are well-established, successful law firms with the resources and personnel necessary to pursue a case of this magnitude, as they have demonstrated in numerous similar large-scale class actions, as well as in the pending related litigation regarding Voyager's offer and sale of unregistered securities in the Southern District of Florida. Together, Boies Schiller Flexner LLP and The Moskowitz Law Firm PLLC currently serve as Co-Lead Counsel of *In Re: FTX Cryptocurrency Exchange Collapse Litigation*, MDL 3076 (S.D. Fl.).

Boies Schiller is a law firm comprised of more than 150 attorneys that has an internationally recognized complex securities litigation and class actions practice. The Firm has a proven track record of achieving impressive results on behalf of both plaintiffs and defendants in high stakes class litigation. As outlined below, the Firm has been appointed lead class counsel on multiple matters that resulted in multi-billion-dollar settlements for class members. In addition, the Firm's securities litigation lawyers include former senior federal securities fraud prosecutors who served in the United States Attorney's Offices for the Eastern and Southern Districts of New York and who investigated and prosecuted some of the most prominent matters of the last decade (including Bernard L. Madoff Investment Securities, S.A.C. Capital Advisors, and the "London Whale" trades). The Firm has won every major award from legal and business publications, from American Lawyer to Chambers USA and Time magazine and its partners are routinely honored for exceptional representation of both plaintiffs and defendants. Recently, Boies Schiller has been appointed co-lead counsel in major class actions including *In re Google Digital Publisher Antitrust Litig*, No. 5:20-cv-8984-BLF (N.D. Cal.), *In re Blue Cross Blue Shield Antitrust Litig*, MDL No. 2406 (N.D. Ala.), and *In re Takata Airbag Products Liab. Litig.*, MDL No. 2599 (S.D. Fla.). In the *Blue Cross* MDL, the District Court recently granted final approval to a \$2.67 billion settlement. See *In re Blue Cross Blue Shield Antitrust Litig*, ECF No. 2931 (N.D. Ala. Aug. 9, 2022). The Firm also obtained \$1.5 billion in settlements with auto manufacturers in the *Takata* MDL and a worked on a \$14.7 billion settlement in the *Volkswagen* "Clean Diesel" litigation. Among other notable cases, Boies Schiller acted as lead counsel in *In re Auction Houses*

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<sup>1</sup> For detailed descriptions of the firms' track records, resources, and attorneys, please see generally <https://www.moskowitz-law.com> and <https://www.bsfllp.com>.

*Antitrust Litig.*, No. 1:00-cv-00648 (S.D.N.Y.), a \$512 million settlement that another plaintiffs' counsel described as "the most outstanding result I have ever heard of in the history of the antitrust laws." Boies Schiller also served as co-lead counsel for the direct purchaser class in the matter *In re Municipal Derivatives Antitrust Litig.* in federal court in New York (over \$200 million in settlements) and for the direct purchaser class in the matter *In re Polyurethane Foam Antitrust Litig.* in federal court in Ohio (over \$440 million in settlements).

The Moskowitz Law Firm is comprised of attorneys with decades of experience successfully litigating and resolving complex securities and class action lawsuits on behalf of plaintiffs around the world. Recently, in *In Re: Champlain Towers South Collapse Litigation*, Case No. 2021-015089 CA 01 (Fla. 11th Jud. Cir. June 24, 2022), The Moskowitz Law Firm was instrumental in obtaining as co-lead class counsel a settlement fund of over \$1.2 billion dollars to compensate victims of the tragic collapse of Champlain Towers South in Surfside, Florida. The Moskowitz Law Firm further litigated 32 class action cases against the nation's largest banks and mortgage servicers concerning their deceptive and unfair force placed insurance practices, reaching 30 settlements to date totaling over \$4.2 billion dollars for the proposed nationwide classes of over 5.3 million homeowners.<sup>2</sup> Prior to filing the FPI class actions, founding partner Adam Moskowitz served as Co-Lead Counsel in *In re: Managed Care Litigation*, MDL No. 1334, where plaintiffs brought suit against the seven largest managed care providers on behalf of approximately 600,000 physicians alleging that these defendants engaged in a civil conspiracy

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<sup>2</sup> See, e.g., *Williams v. Wells Fargo Bank, N.A.*, No. 11-cv-21233 (S.D. Fla.) (final approval granted); *Saccoccio v. JPMorgan Chase Bank N.A.*, No. 13-cv-21107 (S.D. Fla.) (final approval granted); *Diaz v. HSBC Bank (USA)*, N.A., No. 13-cv-21104 (S.D. Fla.) (final approval granted); *Fladell v. Wells Fargo Bank, N.A.*, No. 13-cv-60721 (S.D. Fla.) (final approval granted); *Hamilton v. SunTrust Mortg., Inc.*, No. 13-cv-60749 (S.D. Fla.) (final approval granted); *Hall v. Bank of Am., N.A.*, No. 12-cv-22700 (S.D. Fla.) (final approval granted); *Lee v. Ocwen Loan Servicing, LLC*, No. 14-cv-60649 (S.D. Fla.) (final approval granted); *Braynen v. Nationstar Mortg., LLC*, No. 14-cv-20726 (S.D. Fla.) (final approval granted); *Wilson v. Everbank, N.A.*, No. 14-cv-22264 (S.D. Fla.) (final approval granted); *Montoya v. PNC Bank, N.A.*, No. 14-cv-20474 (S.D. Fla.) (final approval granted); *Almanzar v. Select Portfolio Servicing*, No. 14-cv-22586 (S.D. Fla.) (final approval granted); *Jackson v. U.S. Bank, N.A.*, No. 14-cv-21252 (S.D. Fla.) (final approval granted); *Circeo-London v. Green Tree Servicing, LLC*, No. 14-cv-21384 (S.D. Fla.); *Beber v. Branch Banking & Trust Co.*, No. 15-cv-23294 (S.D. Fla.) (final approval granted); *Ziwicki v. Regions Bank*, No. 15-cv-24558 (S.D. Fla.) (final approval granted); *McNeil v. Selene Finance, LP*, No. 16-cv-22930 (S.D. Fla.); *McNeil v. Loancare, LLC*, No. 16-cv-20830 (S.D. Fla.) (final approval granted) (final approval granted); *Edwards v. Seterus, Inc.*, No. 15-cv-23107 (S.D. Fla.) (final approval granted); *Cooper v. PennyMac Loan Servicing, LLC*, No. 16-cv-20413 (S.D. Fla.) (final approval granted); *Strickland, et al. v. Carrington Mortgage Services, LLC*, et al., 16-cv-25237 (S.D. Fla.) (final approval granted for three separate settlements); *Quarashi et al v. Caliber Home Loans Inc. et al.* 16-9245 (D.N.J.) (final approval granted).

in violation of the RICO Act, which resulted in plaintiffs being able to revise the manner in which managed care is conducted with physicians throughout the country, and obtained almost a billion dollars in monetary relief.

The Moskowitz Law Firm are also serving and have served as Lead, Co-lead or as part of Plaintiffs' counsel in various nationwide class actions including *Fruitstone v. Spartan Race, Inc.*, No. 20-cv-20836-BLOOM/Louis, 2021 WL 2012362, at \*12 (S.D. Fla. May 20, 2021) (finding in approving class settlement that Class Counsel's "reputation, diligence, expertise, and skill are reflected in the excellent results they have achieved"); *Feller v. Transamerica Life Ins. Co.*, No. 16-cv-01378 CAS (GJSx), 2019 WL 6605886, at \*6 (C.D. Cal. Feb. 6, 2019) (same, finding Class Counsel "have demonstrated that they have fully and competently prosecuted all causes of action, claims, theories of liability, and remedies reasonably available to the Settlement Class Members"); *In re: Marine Hose Antitrust Litigation*, No. 08-MDL-1888-Graham/Turnoff (S.D. Fla.); *Natchitoches Parish Hospital v. Tyco (In re Sharps Containers)*, No. 05-cv- 12024 (D. Mass.) (serving as co-lead counsel in a nationwide antitrust class action on behalf of direct purchasers of containers for the disposal of sharp medical instruments); *Texas Grain Storage Inc. v. Monsanto Co.*, No. 5:2007-cv-00673 (W.D. Texas) (serving as co-lead counsel with Bruce Gerstein in a nationwide antitrust class action on behalf of direct purchasers of genetically modified seeds); *In re: Hypodermic Products Antitrust Litigation*, MDL No. 1730, No. 05-cv-1602 (JLL/CCC) (D. N.J.) (Linares, J.) (obtaining final approval of a nationwide settlement of an antitrust class action on behalf of direct purchasers of needle products); *In re: Mushroom Direct Purchase Antitrust Litigation*, No. 06-cv-00620 (E.D. Pa.) (representing direct purchasers of fresh agaricus mushrooms sold in the United States east of the Rocky Mountains in antitrust class action); *Miller v. Dyadic International*, No. 07-cv-80948 (S.D. Fla.) (consolidated securities fraud class action against biotech company arising out of material misstatements and omissions regarding financial improprieties of its subsidiaries in violation of federal securities laws); *In re: Herbal Supplements Marketing and Sales Practices Litigation*, 1:15-cv-05070 (N.D. Ill.) (serving on Plaintiffs' Lead Counsel Committee in multidistrict litigation regarding misleading labelling of herbal supplements sold at Target, Walgreens and Walmart stores); *Louisiana Wholesale v. Becton Dickinson, et al.*, No. 05-cv-01602 (D.N.J.); and *Bruhl v. Price Waterhouse Coopers, International, et al.*, No. 03-cv-23044 (S.D. Fla.).



## ABOUT US

**Boies Schiller Flexner is a firm of internationally recognized trial lawyers, crisis managers, and strategic advisers known for our creative, aggressive, and efficient pursuit of successful outcomes for our clients.**

Our attorneys have an established track record of taking on and winning complex, groundbreaking, and cross-border matters in diverse circumstances and industries. From the thorniest, most high-stakes matters to straightforward business disputes, we have a knack for identifying the strongest arguments, understanding the benefits of each, and determining when and how to deploy them in a case.

We use the law as a tool to drive value and mitigate risk. We treat every case from its inception as though it is headed to trial, relentlessly and methodically developing the factual record in a way that positions us for success in or out of the courtroom.

We build deep relationships with clients, allowing us to advise them in any matter and any forum, and we regularly represent them as both plaintiffs and defendants. Everything we do for our clients is intended to advance their interests while helping them evaluate the costs, benefits, and risks of litigation.

Clients benefit from our experience on more than 450 trials before juries and judges in federal and state courts throughout the United States, courts throughout England, and more than 200 international arbitration proceedings around the world.

With offices located throughout the United States and in London and Italy, we operate as one firm with a seamless

approach to building the most skillful and cost-effective team possible for every matter.

### DIVERSITY, EQUITY, AND INCLUSION

Boies Schiller Flexner is committed to diversity, equity, and inclusion at the firm, in the legal profession, and in society as a whole.

Our firm is dedicated to fostering a diverse, equitable, and inclusive work environment that supports the recruitment, retention, and advancement of people of all backgrounds, at all levels of the firm. We believe that teams with diverse viewpoints and perspectives are critical to providing creative solutions to the unique needs of our global client base.

### COMMITMENT TO PUBLIC SERVICE

Our firm was founded on the principle that great lawyering includes acting for the well-being of the general public. Throughout our history, we have regularly tackled important social issues and fought for marginalized groups. Some of our most visible and celebrated cases have championed civil rights, the well-being of children, and important matters of public interest.

## LOCATIONS

New York	Los Angeles
Albany	Miami
Armonk	Milan
Fort Lauderdale	Rome
Hollywood, Fla.	San Francisco
Las Vegas	Washington D.C.
London	



Boies Schiller Flexner LLP



Boies Schiller Flexner LLP



2022



2024



LEADING FIRM  
2022



LEADING FIRM  
2023



## CLASS ACTION PLAINTIFF

**Boies Schiller Flexner has a proven track record of achieving impressive victories on behalf of plaintiffs in high stakes class litigation. BSF has negotiated record settlements and won substantial verdicts on behalf of class members in several prominent cases.**

The firm handles a multitude of class action cases. Our unique experience of representing both defense and plaintiff classes allows for a particular advantage, resulting in favorable outcomes for our clients. The firm's work includes a broad range of representing plaintiff classes in consumer cases, antitrust, securities fraud, and employment cases. Our lawyers work efficiently and strategically at all stages of litigation to obtain meaningful recoveries. When trial threatens, our track record of success in the courtroom serves as an effective spur to negotiation.

### REPRESENTATIVE MATTERS

- **BCBS:** Secured final court approval of our historic settlement in BSF's class action against Blue Cross Blue Shield, including the largest ever monetary recovery – \$2.7 billion – in an antitrust case that was not the subject of any government enforcement, as well as significant injunctive relief to improve competition in the health insurance market.
- **Fannie Mae/Freddie Mac Class Action:** Secured a jury verdict of \$612.4 million on behalf of a class of private shareholders of Fannie and Freddie in the retrial of claims that the Federal Housing Finance Agency improperly amended stock purchase agreements in 2012 to sweep all the profits from Fannie and Freddie to the Treasury.
- **Cherokee Nation:** Following the largest-ever settlement in Cherokee Nation history with prescription drug wholesalers in 2021, we successfully settled with the individual retail pharmacies (Walmart, Walgreens, and CVS) over claims they contributed to the opioid epidemic in and around Cherokee Nation tribal lands in Oklahoma.
- **Google Plaintiffs:** Certified and ultimately settled the first national case on wiretapping, computer hacking, and privacy tort claims against Google. Over 100 million users were involved, and every cause of action survived. Additionally, BSF certified a second national case against Google on computer hacking and privacy tort claims, with over 400 million devices involved.

- **Victims of Jeffrey Epstein:** Represent numerous victims of serial sex trafficker Jeffrey Epstein in criminal prosecutions of Epstein and his accomplices, as well as in civil lawsuits against Epstein and various banks that facilitated his crimes, resulting in a recovery of more than \$360 million.
- **Grupo Televisa Plaintiffs:** After receiving a favorable class definition in our case, we successfully negotiated a settlement on behalf of the securities class action plaintiffs against Grupo Televisa in connection with allegations of bribery that resulted in a significant stock drop.
- **Au Pair Class Action:** Represented plaintiffs in a nationwide class action alleging violations of state and federal employment laws, as well as antitrust and state unfair competition laws; obtained a \$65.5 million settlement on behalf of the class, the largest employment law settlement of the year.
- **Florida Children on Medicaid:** Led a 10-year pro bono case brought on behalf of the more than 2 million Florida children that, after a 93-day federal trial, resulted in a sweeping favorable decision, and led to improved medical and dental care for the children on Medicaid.
- **In re: Vitamin C Antitrust Litigation:** Pioneers in plaintiffs' side international pricing cases, brought the first antitrust cases against certain Chinese manufacturers for conspiring to fix the prices of Vitamin C and Magnesite sold in the U.S.
- **Erica P. John Fund v. Halliburton:** Represented a securities class action which took 14 years, repeat visits to the Fifth Circuit Court of Appeals, and produced two major wins for plaintiffs in the United States Supreme Court, the firm obtained a \$100 million settlement for the class.
- **Takata Airbags:** Obtained \$1.5 billion in settlements with auto manufacturers in multidistrict litigation over defective airbags supplied by Takata and also helped obtain a \$14.7 billion settlement in the Volkswagen "Clean Diesel" litigation.



For more than 25 years, the lawyers at The Moskowitz Law Firm, PLLC (“The Moskowitz Law Firm”) have successfully litigated significant class action and complex commercial cases involving the rights of consumers, investors, and businesses. The Firm and its attorneys consistently rank among the most highly regarded litigation attorneys locally and on the national stage — according to clients, judges, opponents, and professional journals — for effectiveness in and out of the courtroom.

**Adam Moskowitz.** Mr. Moskowitz is the Founder and Managing Partner of The Moskowitz Law Firm and is experienced in all forms of class action claims, including civil conspiracy claims under the Racketeering Influenced and Corrupt Organizations (“RICO”) Act. Mr. Moskowitz serves and has served as Lead Counsel in some of the largest class action cases in Florida and nationwide. Mr. Moskowitz has been an Adjunct Professor at the University of Miami School of Law teaching Class Action Litigation for over 26 years. Adam has received numerous awards for his results including the “Most Effective Lawyer Award” for his work in litigating and resolving numerous nationwide force-placed insurance cases. Mr. Moskowitz filed one of the first class action lawsuits regarding these practices and has since spearheaded class action litigation in over 32 nationwide class actions brought against the largest banks or mortgage servicers and the force-placed insurers across the country, reaching 30 settlements to date totaling over \$4.2 billion dollars for the proposed nationwide classes of over 5.3 million homeowners.<sup>1</sup>



<sup>1</sup> See for example *Williams v. Wells Fargo Bank, N.A.*, No. 11-cv-21233 (S.D. Fla.) (final approval granted); *Saccoccio v. JPMorgan Chase Bank N.A.*, No. 13-cv-21107 (S.D. Fla.) (final approval granted); *Diaz v. HSBC Bank (USA), N.A.*, No. 13-cv-21104 (S.D. Fla.) (final approval granted); *Fladell v. Wells Fargo Bank, N.A.*, No. 13-cv-60721 (S.D. Fla.) (final approval granted); *Hamilton v. SunTrust Mortg., Inc.*, No. 13-cv-60749 (S.D. Fla.) (final approval granted); *Hall v. Bank of Am., N.A.*, No. 12-cv-22700 (S.D. Fla.) (final approval granted); *Lee v. Ocwen Loan Servicing, LLC*, No. 14-cv-60649 (S.D. Fla.) (final approval granted); *Braynen v. Nationstar Mortg., LLC*, No. 14-cv-20726 (S.D. Fla.) (final approval granted); *Wilson v. Everbank*, N.A., No. 14-cv-22264 (S.D. Fla.) (final approval granted); *Montoya v. PNC Bank, N.A.*, No. 14-cv-20474 (S.D. Fla.) (final approval granted); *Almanzar v. Select Portfolio Servicing*, No. 14-cv-22586 (S.D. Fla.) (final approval granted); *Jackson v. U.S. Bank, N.A.*, No. 14-cv-21252 (S.D. Fla.) (final approval granted); *Circeo-Loudon v. Green Tree Servicing, LLC*, No. 14-cv-21384 (S.D. Fla.); *Beber v. Branch Banking & Trust Co.*, No. 15-cv-23294 (S.D. Fla.) (final approval granted); *Ziwczyń v. Regions Bank*, No. 15-cv-24558 (S.D. Fla.) (final approval granted); *McNeil v. Selene Finance, LP*, No. 16-cv-22930 (S.D. Fla.); *McNeil v. Loancare, LLC*, No. 16-cv-20830 (S.D. Fla.) (final approval granted) (final approval granted); *Edwards v. Seterus, Inc.*, No. 15-cv-23107 (S.D. Fla.) (final approval granted); *Cooper v. PennyMac Loan Servicing, LLC*, No. 16-cv-20413 (S.D. Fla.) (final approval granted). *Strickland, et al. v. Carrington Mortgage Services, LLC, et al.*, 16-cv-25237 (S.D. Fla.) (final approval granted for three separate settlements); *Quarashi et al v. Caliber Home Loans Inc. et al.*; 16-9245 (D.N.J.) (final approval granted).

Prior to filing the FPI class actions, Adam Moskowitz served as Co-Lead Counsel in one of the largest MDLs, *In re: Managed Care Litigation*, MDL No. 1334. The MDL was finalized about 6 years ago and was actively litigated for about 7 years. Plaintiffs brought suit against the seven largest managed care providers on behalf of approximately 600,000 physicians alleging that these defendants engaged in a civil conspiracy in violation of the RICO Act. Adam Moskowitz worked almost all of his time assisting the Co-Lead team with every aspect of the case, including taking and defending depositions, coordinating with co-counsel, working with scientists, drafting pleadings, and helping with settlement efforts. Through this litigation before Judge Moreno, plaintiffs were able to revise the manner in which managed care is conducted with physicians throughout the country, and obtained almost a billion dollars in monetary relief. To date, this is the only certified nationwide RICO class action to be upheld by the Eleventh Circuit Court of Appeal.

Mr. Moskowitz has been appointed Lead and Co-Lead counsel in numerous other state and federal class actions, including resolving one of the nation's largest consumer class actions, *LiPuma vs. American Express*, No. 04-cv-20314 (S.D. Fla.). Mr. Moskowitz was recently appointed Co-Lead Counsel for the Economic Loss and Property Damage Track in *In re: Champlain Towers South Condominium Collapse Litigation*, Case No. 2021-015089-CA-01 (Fla. 11th Jud. Cir.) to bring class claims on behalf of the victims of the catastrophic collapse of the Champlain Towers South condominium in Surfside, Florida. Mr. Moskowitz was also appointed Co-Lead Counsel in the MDL proceeding: *In re: Erie COVID-19 Business Interruption Protection Insurance Litigation*, Case No. 1:21-mc-000001 (W.D. Pa.), to represent policyholders in their multidistrict litigation against Erie Insurance Co. seeking coverage for COVID-19 business interruption losses. Mr. Moskowitz was also appointed Class Counsel in a finally-approved nationwide settlement with Spartan Race, Inc., in a nationwide class action arising from Spartan Race's business practices relating to its Racer Insurance Fee, *see Fruitstone v. Spartan Race, Inc.*, No. 1:20-cv-20836-BLOOM/Louis (S.D. Fla.), as well as in *Collins v. Quincy Bioscience, LLC*, No. 19-22864-Civ-COKE/Goodman, ECF No. 200 (S.D. Fla. Nov. 18, 2020), where Magistrate Judge Jonathan Goodman for the United States District Court for the Southern District of Florida granted final approval of a nationwide class action settlement resolving claims of a nationwide class of purchaser of the memory improvement supplement Prevagen.

Recently, in *Cherry v. Dometic Corp.*, No. 19-13242 (11th Cir. Feb 2, 2021), Mr. Moskowitz was successful in overturning a denial of class certification for failing to demonstrate the "administrative feasibility" of identifying class members. This decision represents a sea change in class action litigation in the Eleventh Circuit, which now joins the Second, Sixth, Seventh, Eighth and Ninth Circuits in rejecting any heightened ascertainability requirement purportedly inherent in Federal Rule of Civil Procedure 23(a).

In *Pain Clinic et al. v. Allscripts Healthcare Solutions, Inc.*, 12-49371 (Fla 11th Cir. Ct. 2012), Mr. Moskowitz reached a nationwide settlement against Allscripts Healthcare Solution on behalf of thousands of small physician practices regarding the sale and marketing of defective electronic healthcare software. Mr. Moskowitz has also served as Lead, Co-lead or as part of Plaintiffs' counsel in various nationwide class actions including *In re: Marine Hose Antitrust Litigation*, No. 08-MDL-1888-Graham/Turnoff (S.D. Fla.); *Natchitoches Parrish Hospital v. Tyco (In re Sharps Containers)*, No. 05-cv- 12024 (D. Mass.) (serving as co-lead counsel in a nationwide antitrust class action on behalf of direct purchasers of containers for the disposal of sharp medical instruments); *Texas Grain Storage Inc. v. Monsanto Co.*, No. 5:2007-cv-00673 (W.D. Texas) (serving as co-lead counsel with Bruce Gerstein in a nationwide antitrust class action on behalf of direct purchasers of genetically modified seeds); *In re: Hypodermic Products Antitrust Litigation*, MDL No. 1730, No. 05-cv-1602 (JLL/CCC) (D. N.J.) (Linares, J.) (obtaining final approval of a nationwide settlement of an antitrust class action on behalf of direct purchasers of needle products); *In re: Mushroom Direct Purchase Antitrust Litigation*, No. 06-cv-006201 (E.D. Pa.) (representing direct purchasers of fresh agaricus mushrooms sold in the United States east of the Rocky

Mountains in antitrust class action); *Miller v. Dyadic International*, No. 07-cv-80948 (S.D. Fla.) (consolidated securities fraud class action against biotech company arising out of material misstatements and omissions regarding financial improprieties of its subsidiaries in violation of federal securities laws); *In re: Herbal Supplements Marketing and Sales Practices Litigation*, 1:15-cv-05070 (N.D. Ill.) (serving on Plaintiffs' Lead Counsel Committee in multidistrict litigation regarding misleading labelling of herbal supplements sold at Target, Walgreens and Walmart stores); *Louisiana Wholesale v. Becton Dickinson, et al.*, No. 05-cv-01602 (D.N.J.); and *Bruhl v. Price Waterhouse Coopers, International, et al.*, No. 03-cv-23044 (S.D. Fla.).

Mr. Moskowitz was appointed as Co-Lead counsel in *In re Transamerica COI Litigation*, Case No. 2:16-cv-01378-CAS-AJW (C.D. Cal.), and reached a finally-approved nationwide settlement for a certified class of nationwide consumers who purchased life insurance policies from Transamerica Life Insurance Company, a subsidiary of Aegon—one of the world's largest providers of life insurance, pension solutions and asset management products—which resulted in recovering a gross Settlement Common Fund of over \$100 million, as well as extremely valuable injunctive relief for the nationwide class. Mr. Moskowitz also personally resolved the sole objection to the settlement with the objector's counsel who brought separate "copycat" Transamerica COI class actions in Iowa. Judge Snyder also recently granted final approval of a nationwide class action settlement regarding a very similar COI nationwide class action against Transamerica for the 2017 COI increases, which is currently pending appeal. *Thompson v. Transamerica Life Insurance Company*, No. 2018-cv-5422-CAS, ECF No. 197 (C.D. Cal. Sept. 16, 2020). Further, in *In re Fieldturf Multi District Litigation*, Case No. 3:17-md-02779-MAS-TJB (D.N.J.), U.S. District Judge Michael A. Shipp recently appointed Mr. Moskowitz as Co-Lead counsel for all of the plaintiffs after numerous class actions brought against Fieldturf were consolidated in the District of New Jersey earlier last year. The claims were brought on behalf of municipalities related to the marketing and sale of allegedly defective artificial fields. Adam is currently lead and co-lead counsel in numerous other class actions currently pending in state and federal courts across the country.

Mr. Moskowitz's practice also encompasses various other complex commercial litigation matters, arbitrations before FINRA and numerous jury trials. Adam obtained one of the largest jury verdicts in Miami-Dade County (over \$100 million dollars) in a jury trial against a global agricultural company on behalf of growers from the United States and Costa Rica. Adam has also served as chairperson in numerous NASD securities arbitrations, and actively participates in local and national seminars and panels, lectures across the country regarding class action litigation, and has published numerous articles on class action practices and settlements.<sup>2</sup> Mr. Moskowitz has actively served on numerous state and national class action organizations, including being appointed to the Duke Law Center for Judicial Studies Advisory Council and serves as the Topics Coordinator. The Council brings together all federal judges, experienced plaintiffs' and defense attorneys, and academics to develop practical solutions to legal issues by way of rule changes, best practices, guidelines, and principles. The Council conducts numerous national seminars each year, attended by hundreds of class action practitioners and federal and state judges. One such seminar was the "National Townhall Meeting Developing a Useful Framework to Address Alcohol Abuse, Drug Addiction, and Anxiety/Depression Among Bench, Bar, and Related Professionals," which included many great speakers (39 Panelists for 8 Panels), including many federal judges. Adam is married to his wife Jessica and has three children, Serafina, Michael and Samantha and is very active with his children's school Temple Beth Am in Miami, Florida. Attached are two personal articles about Adam Moskowitz, including one regarding his family being named "Family of the Year" for their synagogue this past year, based mainly on the great dedication and pro bono service by his wife to his children's school.

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<sup>2</sup> See, e.g., *The Right Way to Calculate Attorneys' Fees in Class Actions*, December 4, 2015, available at <http://www.law360.com/articles/733534/the-right-way-to-calculate-atty-fees-in-class-actions>.

**Howard Bushman.** Howard Bushman is a Partner at The Moskowitz Law Firm and a seasoned litigator with over 18 years of experience prosecuting nationwide class actions and mass tort litigation. Mr. Bushman is a central figure in litigating the lender placed insurance class actions listed in Footnote 1. Further, Mr. Bushman has effectively litigated the following class actions: *Kenneth F. Hackett & Associates, Inc. v. GE Capital Information Technology Solutions, Inc. et al.*, Case No.: 10-20715-CIV-ALTONAGA/BROWN (S.D. Fla.) (multi-million dollar settlement on behalf of a nationwide class of copier lessees whom were overcharged for their monthly payments); *Aarons et al. v. BMW of North America, LLC*, Case No. 2:11-cv-07667-PSG (S.D.Cal.) (multi-million dollar settlement on behalf of a nationwide class of owners of defective Mini-Cooper vehicles); *Lockwood et al. v. Certegy Check Services, Inc.*, Case No.: 8:07-CV-01657-SDM-MSS (M.D. Fla.) (nationwide data breach action resulting in a settlement valued at over \$75 million dollars); *Brenda Singer v. WWF Operating Company*, Case No.: 13-CV-21232 (S.D. Fla. 2013) (nationwide litigation regarding alleged deceptive marketing of evaporated cane juice; successfully settled nationwide class action over deceptive labeling of evaporated cane juice); *In Re: Countrywide Financial Corp. Customer Data Security Breach Litigation*, Case No. 3:08-MD-01998-TBR (WDKY) (class action on behalf of over 17 million consumers, achieved a settlement valued at over \$300 million dollars); *Eugene Francis v. Serono Laboratories, Inc., et al.* (“Serostim”), Case No. 06-10613 PBS (U.S. District Court of Mass.) (\$24 million cash settlement in a nationwide class action litigation against multiple entities regarding the deceptive and illegal marketing, sales and promotional activities for the AIDS wasting prescription drug Serostim); *In Re: Guidant Corp. Implantable Defibrillators Products Liability Litigation*, MDL No. 1708 (U.S. District of Minnesota) (\$245 million dollar settlement for patients in this nationwide mass tort class action regarding the sale of defective cardiac defibrillators and pacemakers); *In Re: Zicam Cold Remedy Marketing, Sales Practices and Products Liability Litigation*, MDL No. 2096 (mass tort involving over \$15 million settlement).



Mr. Bushman has extensive experience litigating antitrust matters throughout the state of Florida as well. See *In re: Photochromic Lens Antitrust Litigation*, MDL No. 2173, No. 8:10-md-02173-T-27EA (M.D. Fla.) (nationwide indirect purchaser antitrust class action on behalf of purchasers of photochromic lenses); *In re Florida Cement and Concrete Antitrust Litigation (Indirect Purchaser Action)*, No. 09-23493-CIV-Altonaga/Brown (S.D. Fla.) (statewide indirect purchaser antitrust class action on behalf of purchasers of cement); *Anna Vichreva v. Cabot Corporation, et al.*, No. 03-27724-CA-27 (Fla. 11<sup>th</sup> Jud. Cir. Ct.) (litigated and obtained the largest per-consumer Carbon Black state court antitrust class action settlement in the country).

As passionate for the law as he is for giving back to the local community, Howard recently received the Eleventh Judicial Circuit and Miami-Dade County Bar Associations' Put Something Back Pro Bono Service Award.

**Joseph Kaye.** Joey is a Partner at The Moskowitz Law Firm.

Joey's practice focuses on multi-state consumer class action litigation, complex commercial litigation and multidistrict litigation. His experience litigating a broad range of disputes, including consumer protection, cryptocurrency, insurance, mass tort, construction defect, products liability, federal antitrust and securities litigation matters, allows him to serve as a valuable asset in representing the Firm's clients.

Joey contributes to the Firm's great success by taking a leading role in many cases. Joey's recent significant involvements include serving as a member of the Steering Committee and Co-Chair of the Briefing Committee in the multidistrict litigation arising out of the collapse of the FTX cryptocurrency exchange, litigating putative nationwide class action suits arising out of the implosion of cryptocurrency exchanges Voyager Digital and Binance, as well as numerous finally-approved nationwide class action settlements of claims of unfair and deceptive practices by large corporations in their marketing and sales of various consumer products and services, health supplements, insurance and investment products.

Joey has also been instrumental in favorably expanding the law on important areas of class action litigation for plaintiffs. In *Las Olas Company Inc., et al. v. Florida Power & Light Company, et al.*, representing a class of businesses forced to close after contractors negligently ruptured a water main during a directional drilling operation, Joey helped The Moskowitz Law Firm attain the first reported decision since the Florida Supreme Court decided *Engle v. Liggett Group, Inc.*, 945 So. 2d 1246 (Fla. 2006), affirming a litigated certification of a liability issue class pursuant to Florida Rule of Civil Procedure 1.220(d)(4). *Infratech Corp. v. Las Olas Co.*, 320 So. 3d 751 (Fla. 4th DCA 2021). Joey then helped the Firm attain a jury verdict finding the contractor 98% liable for the class's damages. The 17th Judicial Circuit Court then finally approved a class action settlement that paid damages to all class members who submitted valid claims and included valuable injunctive relief.

Joey has also had great success in opposing objections and attaining final approval of nationwide class action settlements, as in *Fruitstone v. Spartan Race, Inc.*, No. 1:20-cv-20836-BLOOM/Louis (S.D. Fla.) (arising from Spartan Race's business practices relating to its Racer Insurance Fee) and *Collins v. Quincy Bioscience, LLC*, No. 19-22864-Civ-COKE/Goodman, ECF No. 200 (S.D. Fla. Nov. 18, 2020) (involving claims of purchasers of the memory improvement supplement, Prevagen), where they achieved the *Collins* settlement after Magistrate Judge Jonathan Goodman recommended certification of a litigated Florida statewide issue class pursuant to Federal Rule of Civil Procedure 23(c)(4), which would have bifurcated the proceedings into liability and damages phases. *Collins*, No. 19-22864-Civ-COKE/Goodman, ECF No. 119 (S.D. Fla. Mar. 19, 2020). Joey was also integral in helping to overturn the onerous "administrative feasibility" requirement imported into the "ascertainability" standard for class certification, which benefits class action plaintiffs throughout the nation. *Cherry v. Dometic*, 986 F.3d 1296 (11th Cir. 2021).

Joey was also actively involved in litigating to protect the interests of victims of the collapse of the Champlain Towers South Condominium before Judge Michael Hanzman in the Miami-Dade Complex Business Litigation Division in *In re: Champlain Towers South Collapse Litigation*, No. 2021-015089-CA-01, which



resulted in over a billion dollar settlement for the victims that was finally approved by the Court one year after the tragic collapse.

Prior to joining The Moskowitz Law Firm, Joey began his practice at 23 years old at a commercial litigation boutique in Aventura, where he represented businesses and individuals in a variety of disputes involving breach of contract, commercial transactions, fraud, business torts, deceptive and unfair trade practices, intellectual property, probate, guardianship, and trust litigation, at both the trial and appellate court levels, as well as in arbitration. For example, Joey successfully represented plaintiffs in *Oded Meltzer, et al. v. NMS Capital Group LLC, et al.*, Case No. 1:17-cv-23068-UU (S.D. Fla.), who sought a declaratory judgment that they were not bound to an arbitration agreement they entered into as representatives of their business entities, and an injunction enjoining defendants from joining them as parties to arbitration of a multi-million-dollar dispute with those business entities. Joey obtained a preliminary injunction on the papers without a hearing, which caused the defendants to stipulate to entry of a final judgment and permanent injunction. Further, Joey authored the answer brief and litigated an appeal in *Yehezkel Nissenbaum, et al. v. AIM Recovery Services, Inc.*, Case No. 3D15-1000 (Fla. 3d DCA 2015), which resulted in the Third District Court of Appeal issuing a *per curiam* affirmation upholding a final judgment exceeding \$125,000.000. Similarly, in *Dantro LLP, et al. v. In rem Dantro Fund, et al.*, Case No. 12-ca-001643 (Fla. 20th Jud. Cir.), after obtaining a final summary judgment entitling plaintiff limited liability partnerships to recover \$90,000.00 from the Court Registry after it was stolen by their former managing partner, Joey successfully sought an order entitling plaintiffs to recover their attorneys' fees and costs in maintaining the action against the former managing partner in his individual capacity as the real party in interest because he entered an appearance and sought to obtain the stolen funds for himself, purportedly on behalf of the dissolved partnerships. Joey argued and won the motion before the trial court, then successfully defended the order on appeal to the Second District Court of Appeal. See *Edward Adkins v. Dantro LLP, et al.*, Case No. 2D16-4751 (Fla. 2d DCA 2017).

A life-long Florida native, Joey attained a Bachelor's degree in Creative Writing from Florida State University (B.A., 2012) and a Juris Doctorate degree from the University of Miami School of Law (J.D., *magna cum laude*, 2015).

While at the University of Miami, Joey was a member of the Race and Social Justice Law Review, served as Dean's Fellow for the Contracts and Elements courses, earned the Dean's Certificate of Achievement in Evidence and Elements courses, received honors in litigation skills, and was on the Dean's List multiple times.

Joey also gained invaluable experience as a judicial intern for the Honorable Magistrate Judge Jonathan Goodman in the United States District Court for the Southern District of Florida, and as a certified legal intern for the Miami-Dade State Attorney's Office, Misdemeanor Domestic Violence Division.

Joey's attention to detail and commitment to professionalism ensure that clients will receive individualized attention and care in crafting creative legal solutions to meet their particularized needs.

He is a Member of the American Bar Association, the Florida Bar, the North Carolina Bar, the Dade County Bar Association, and is admitted to practice in the State of Florida, the United States District Courts for the Southern, Middle, and Northern Districts of Florida, as well as the United States Court of Appeals for the Eleventh Circuit.

Joey currently resides in Pinecrest, Florida, with his wife, Melody, and daughters, Soleil and Mischa, who inspire him every day to keep fighting for those who need it most. "I can feel proud when I tell them what I do for a living, and that I do it all for them, to make the world we live in better. It's a beautiful thing."

**Barbara Lewis.** Barbara is an Associate Attorney at The Moskowitz Law Firm. Most of her practice has focused on representing consumers in multi-state class action litigation, complex commercial litigation and multidistrict litigation. She handles a broad range of disputes, including force-placed insurance litigation and complex nationwide litigation relating to health insurance, products liability, false advertising, fraudulent business practices, and other consumer issues. Her fluency in Spanish makes her a valued source to the firm's Hispanic and multicultural clients in South Florida. She has authored various publications including *Amending Rule 23: Modernizing Class Notice and Debunking Bad-Faith Objectors*, published by the Federal Litigation Section of the Federal Bar Association (SideBAR) in Spring 2017, and *Lawsuits Target Hidden Fees, Pass-Through Charges*, published by the Daily Business Review in July 2016.

Barbara also briefly worked at Clarke Silvergate, P.A. where her practice consisted of litigating employment law and general commercial matters. She defended employers against a variety of discrimination and wrongful termination lawsuits in federal and state court. She was instrumental in authoring and arguing various discovery motions against the plaintiff in a contentious sexual harassment dispute which led to a successful mediation. Barbara also represented insurance companies nationwide in a variety of breach of contract actions. In this capacity, she briefed and successfully obtained summary judgment in *Dwyer v. Globe Life and Accident Insurance Company*, Case No. 2:19-cv-14071 (S.D. Fla.), where the plaintiff demanded accidental death insurance benefits on behalf of an insured who had overdosed on illegal drugs. The court's opinion not only clarified existing Florida insurance law, but also created new Florida law on accidental death coverage.

Barbara was born in Cuba but has been a long time Miami resident. She obtained her Bachelor's degree with honors in Government from the University of Virginia in 2012, and her Juris Doctorate degree *cum laude* from the University of Miami School of Law in 2015. While at the University of Miami, Barbara earned the CALI Excellence for the Future Award and Dean's Certificate of Achievement, awarded to the highest scoring student in the class, in her Legal Communication and Research courses. She interned at the Investor Rights Clinic, where she represented under-served investors in securities arbitration claims against their brokers before the Financial Industry Regulatory Authority (FINRA). She was also a member of the school's International Moot Court Program and earned Second Place in the Moot Madrid competition, an international commercial arbitration competition that is conducted entirely in Spanish.





The Moskowitz Law Firm focuses only on large-scale class actions and complex commercial litigation, typically against parties represented by larger, premier law firms. Its attorneys have played a leading role in significant class actions and complex litigation across the country that have made a real difference in the world and on behalf of consumers across the country. With deep roots in the local Miami community, the attorneys at The Moskowitz Law Firm have been avid supporters of several non-profit and education related organizations for over two decades, earning the good will of colleagues, clients and neighbors. After teaching Class Action Litigation at the University of Miami for over 26 years, in 2016, Adam Moskowitz, along with his other co-counsel in the force placed cases, organized the University of Miami Class Action Conference, an annual event which included Class Action Panels with various federal judges, state attorney generals and numerous plaintiff and defense counsel and awards scholarships to students interested in class action litigation.



Dione Iturria is a Senior Paralegal at the Moskowitz Law Firm and has been with MLF since its inception in 2018. In total, Ms. Iturria has been a Paralegal for 18 years where most of this time has been spent specializing in Class Actions and Complex Commercial Litigation. She graduated with Honors from Miami Dade College with a Bachelor Degree in Applied Science in Supervision and Management in 2012. In 2010, she earned an Associate in Arts in Pre-Law degree from Miami Dade College. Finally, she was awarded an Associate in Science in Paralegal Studies ABA Approved in 2008.

Most recently, Ms. Iturria's Hourly Rate of \$350 was approved in the *In Re: Champlain Towers South Collapse Litigation* Collapse Litigation. See Order on Class Counsel's Motion for Attorney's Fees dated August 29, 2022 in the matter of *In Re: Champlain Towers South Collapse Litigation*, Case No.: 2021-015089-CA-01 (11<sup>th</sup> Jud. Cir. 2021) (Judge Michael A. Hanzman approving application including a rate of \$350 for Ms. Iturria); see also *Quarashi v. M&T Bank Corp., et al.*, Case No. 3:17-cv-06675, ECF No. 84 (D. N.J. June 24, 2019) (Judge Brian R. Martinotti approving Ms. Iturria's rate of \$325 per hour); *Rickert, et al. v. Caliber Home Loans, Inc., et al.*, Case No. 3:17-cv-06677, ECF No. 85 (D. N.J. April 1, 2019) (same); *Smith v. Specialized Loan Servicing, LLC., et al.*, Case No. 3:17-cv-06668, ECF No. 69 (D. N.J. April 1, 2019) (same).



Rejane Passos began her career as paralegal in 2010 and joined The Moskowitz Law Firm in May 2019. She received her Paralegal Certificate from the Florida International University (FIU), Miami Florida. Rejane attended two years of Business Administration program in Brazil before moving to the United States, at FUMEC College. Ms. Passos has been a paralegal for a mid-size service plaintiff/defense law firm experienced in commercial litigation, probate, real estate, immigration, bankruptcy and other areas of law involving complex business disputes, business torts, landlord tenants' disputes, foreclosure among others. She is responsible

for assisting attorneys during all phases of litigation, from the initiation of a case to the discovery period through trial and post-trial findings and appeals.

Most recently, Ms. Passos's Hourly Rate of \$350 was approved in the *In Re: Champlain Towers South Collapse Litigation* Collapse Litigation. See Order on Class Counsel's Motion for Attorney's Fees dated August 29, 2022 in the matter of *In Re: Champlain Towers South Collapse Litigation*, Case No.: 2021-015089-CA-01 (11<sup>th</sup> Jud. Cir. 2021) (Judge Michael A. Hanzman approving application including a rate of \$350 for Ms. Passos).



Lorenza Ospina joined the Moskowitz Law Firm in November of 2020 where she has specialized in Class Actions and Complex Commercial Litigation. Prior to that, she worked in the Workers' Compensation field for over 15 years. She attended Florida Metropolitan University where she studied Business Administration.

Most recently, Ms. Ospina's Hourly Rate of \$350 was approved in the *In Re: Champlain Towers South Collapse Litigation* Collapse Litigation. *See Order on Class Counsel's Motion for Attorney's Fees* dated August 29, 2022 in the matter of *In Re: Champlain Towers South Collapse Litigation*, Case No.: 2021-

015089-CA-01 (11<sup>th</sup> Jud. Cir. 2021) (Judge Michael A. Hanzman approving application including a rate of \$350 for Ms. Ospina).

## 2019 'Family of the Year'

***We Salute the Moskowitz Family, honored as the Committee of 100's 2019 'Family of the Year'***

Each year, Temple Beth Am is proud to recognize an outstanding family of volunteers. Congratulations to the ***Moskowitz Family*** — **Jessica, Adam, Serafina, Michael and Samantha** — who were honored on March 10, 2019 as recipients of the ***Committee of 100's 2019 "Family of the Year" Award***, for their continued participation in our Temple community and their ongoing commitment to congregational leadership.



**Jessica**'s TBAM journey began almost a decade ago in the Tot Shabbat and Mommy and Me programs, with the oldest of her three Temple Beth Am Day School students **Serafina**. She has been involved as a lay leader in the Temple Beth Am Day School for several years, including being a room parent, and for two years was Co-Chair of the Day School Annual Auction (2017 and 2018). Jessica is a member of the Day School Board, and is now Co-President of **PATIO** (Parent and Teacher Involvement Organization). She previously chaired the Grandparents & Special Friends Day Committee, served as Vice

President of the Elementary School on the PATIO Board and is currently enrolled in Temple Beth Am's *Atideynu* leadership training program.

**Adam**, founding partner of [The Moskowitz Law Firm](#), is in his 26th year on the faculty at the University of Miami School of Law teaching Class Action Litigation, and donates his salary back to the school for student scholarships. He helped establish the annual Class Action Forum at the UM School of Law. Last year, Adam helped organize a new group of parent volunteers to launch the inaugural Day School Chanukah Games on December 21, 2018 — [watch video](#). All 230 elementary school students participated in 12 physical and mental activities, and Opening and Closing Ceremonies. Adam is active in the Alexander Muss High School in Israel program, having been a student and then a *Madrich* (counselor). He is passionate about Israel and works tirelessly in behalf of AIPAC in Washington, DC. A member of the "Beyond the Curve" Capital Campaign Committee, he proudly coaches his daughter's 3rd grade Beth Am Basketball League team and is a frequent guest reader in his childrens' classrooms.

**Serafina** (*pictured at right*) is a third grader at Temple Beth Am Day School where she began her studies in Early Childhood in Junior Pre-Nursery. She enjoys art, tennis, Beth Am Basketball League, spending time with her friends and setting out on her own path in life.

**Michael**, a first grader at Temple Beth Am Day School who also began here in the Early Childhood, also loves playing tennis at Coral Oaks, basketball and spending time with friends and family in Miami and North Carolina.

In Fall 2019, **Samantha**, a Pre-K student, will find her way across the quad to Kindergarten. Eager to learn to read and write, her spunky personality comes shining through, especially during After School U's Hip Hop.



(Family Photo by Anastasia Murphy — [Stasia Shoots](#))

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## National Class Action Litigator Opens Up About Stress, Quitting Drinking

by Celia Ampel

Adam Moskowitz realized a few years ago that he needed to make a change.

One of the top federal class action lawyers in the country, Moskowitz has led enormous cases including force-placed insurance litigation that recovered more than \$5 billion for homeowners who alleged their mortgage servicers took kickbacks from insurers.

But with huge victories came a lot of stress — and he wasn't handling it well.

"As the cases became more stressful and they became larger and I was traveling a lot more, I found myself getting more unhealthy," said Moskowitz, who was leading the class action practice at Kozyak Tropin & Throckmorton in Coral Gables. "A lot of the lifestyles of lawyers involve drinking and involve celebrating. When you win a big case, you open champagne."

Drinking became his go-to method for relieving stress, and while it wasn't affecting his work, he felt he was on a "path to destruction." Moskowitz realized something had to give.

"Having a beautiful wife and having three kids made me really analyze my situation," he said. "I looked around and there were terrible things happening to people. People were committing suicide that I knew."

A lot of lawyers deal with mental health issues but don't feel they can talk about them, he said. The issue has become a focus of the Florida Bar, particularly after the suicide of powerhouse litigator Ervin Gonzalez last year.

"You're fighting people so often that they're looking for any weakness in you, and you don't want to admit, maybe, that you have a problem," Moskowitz said. "Or you don't want to seek help from those people that you're probably around the most because of this competition and how vicious our industry can be."

Moskowitz quit drinking and got back to old habits of running races and practicing yoga. The resulting mental clarity gave the 50-year-old the resolve to strike out on his own, leaving the firm he'd joined as a second-year associate in 1993. He still has working and personal relationships with his old partners at Kozyak Tropin, but that firm wasn't his dream.

"I want my own future," he said. "I want to create my own legacy and have my own traditions and really focus in on class actions."

Two months after founding the Moskowitz Law Firm with partner



J. ALBERT DIAZ

Coral Gables litigator Adam Moskowitz said he wants to help stoke honest conversations about stress and mental health in the legal profession.

Howard Bushman, Moskowitz leads a firm with four attorneys, several support staff and an office in downtown Coral Gables. He admits he's scared, but mentors such as legendary Miami attorney Aaron Podhurst told him they were scared, too — and it all worked out.

Moskowitz knows about perseverance, starting with his upbringing after his father left.

"My mom was amazing," he said. "With nothing, she moved to Miami with my sister and I, and she worked five jobs. Five jobs. She was a nurse. She was a receptionist. She was a hostess. She did summer jobs — she worked at my summer camp as the nurse so we could go for free."

Moskowitz said his mother also begged a private school to let him attend on a scholarship. From there he went to college, studied abroad in London and worked in Israel, all thanks to her.

### BENLATE CASES

When he graduated from the University of Miami School of Law, he joined a five-attorney firm that sent him during his second week to speak with a grower whose claimed his plants were dying because of the DuPont Co. fungicide Benlate. The firm took about 70 similar cases.

"They said, 'Adam, you go handle them,'" Moskowitz said. "You go travel around the state of Florida to Apopka, to Dade City, to Plant City, to Tallahassee. I was a first-year associate. I knew nothing. I was getting killed. ... I was learning trial by fire."

But he broke the cases open during a trip to Costa Rica when he learned about Benlate studies done there that produced "horrible" results. In sworn interrogatories, DuPont said it had not done any testing in Costa Rica. Moskowitz's firm made a long-shot move and asked the judge to strike the pleadings and find against DuPont on liability — and she did.

The resulting settlements led to infighting over money and ethical issues among the partners, and the firm broke up. Moskowitz decided to take his cases with him to Kozyak Tropin. As a second-year associate, he negotiated a contract that would give him a percentage of the fees. Soon afterward, he did the openings and closings for a trial that led to a \$130 million jury verdict against DuPont.

Forced-place insurance has been much of Moskowitz's focus for the past decade. He's also known for representing victims of Scott Rothstein's \$1.2 billion Ponzi scheme and serving as lead counsel in a currency-conversion class action against American Express

and securities litigation against Lancer Partners, among other cases.

At his new firm, he's leading class action litigation alleging life insurance companies are charging illegal rates to people near the end of their lives.

### TAKE CARE

His career isn't not slowing down. But Moskowitz now understands the importance of taking care of himself. He's thrilled about organizing the kids' field day at his synagogue, quipping that these days, he'd rather make the Temple Beth Am Commentator than the front page of the Wall Street Journal.

Moskowitz hopes he can inspire even one attorney struggling with drinking or stress to do something about it.

"The tragedies are these people who commit suicide and they leave their children orphans," he said, beginning to choke up. "We had somebody in our school who died — her son is in our son's class. I can only imagine if my son grew up without a father. Maybe if that lawyer or that person says, 'Yeah, things are rough, but you know, Adam went through it, and he's a tougher person as a result of dealing with it. Maybe I'll go see somebody. Maybe I'll go talk to somebody.'"

**Celia Ampel** covers South Florida litigation. Contact her at [campel@alm.com](mailto:campel@alm.com) or on Twitter at [@CeliaAmpel](https://twitter.com/CeliaAmpel).

### ADAM MOSKOWITZ

**Born:** 1967, New York City

**Spouse:** Jessica Moskowitz

**Children:** Serafina, Michael, Samantha

**Education:** University of Miami, J.D., 1993; Syracuse University, B.A., 1989

**Experience:** Founding and managing partner, The Moskowitz Law Firm, 2018-present; Partner, associate and class action chairman, Kozyak Tropin & Throckmorton, 1993-2018; Associate, Friedman, Rodriguez, Ferraro & St. Louis, 1993